

REMARKS

Claims 1-5 and 7-12 are pending in this application. Claims 7-9 have been withdrawn from consideration by the Examiner. By this Amendment, claims 1, 3 and 5 are amended, claim 6 is canceled and new claims 10-12 are added. Various amendments have been made to the claims for clarity and are unrelated to issues of patentability.

Applicant confirms that a provisional election was made on February 5 to prosecute Group I (claims 1-6) with traverse. The Office Action appears to make an election of species requirement if Group II (claims 7-9) was selected. Since Group II was not elected, applicant has not elected one of the species.

It is respectfully submitted that the subject matter of both groups of claims is sufficiently related that a thorough search for the subject matter of each of the groups of claims would encompass a search for the subject matter of the remaining group of claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office. Applicant respectfully requests that both groups of claims be examined in this application.

The Office Action rejects claims 1-6 under 35 U.S.C. §103(a) over PCT/WO 92/22983 to Browne et al. (hereafter Browne) in view of U.S. Patent 4,258,385 to Greenburg. The rejection is respectfully traversed.

Independent claim 1 recites communication means for connecting to a communication network to thereby transmit IP address data and receive program information data. Independent claim 1 further recites memory means for storing broadcast reservation information about a user-selected program among the received program information data via the communication means.

Browne and Greenburg do not teach or suggest all the features of independent claim 1. That is, Browne discloses an audio/video recorder system that includes a storage section 104 (storage section 104a-c), coupled to the input port means, for simultaneously storing a plurality of received transmission signals. The storage section 104 is configured to include a primary storage section 104a, and an optional storage section 104b, which is connected to the multi-source recorder player 100 via a high speed digital connection using interface 105a.

Figs. 5A-E shows a set of recording events, stored in the system memory, a part of the storage section 104 and Fig. 13 shows set of a recording information (date, time and channel). See page 23, line 1 – page 24, line 17 and page 32, line 3-21.

Browne discloses that the data, inputted by a user, is stored in the storage section 104. However, independent claim 1 recites memory means for storing broadcast reservation information about a user-selected program among the received program information data via the communication means. Browne does not teach or suggest these features.

Browne also does not teach or suggest how to obtain the recording information. On the

other hand, independent claim 1 recites communication means for connecting to a communication network to thereby transmit IP address data and receive program information data. Browne does not teach or suggest these features.

Browne discloses that there is one A/D converter 102a-102f for each simultaneously viewable and recordable analog input signal 101a-101f. Once the signals are A/D converted, they are passed to digital compression section 103. The compression section 103 compresses the converted input signal 101a-101f. Then, the compressed input signal 101a-101f is stored in storage section 104 via bus 109. Alternatively, certain input signals, such as signals 101g (digital ISDN data) and 101h (demodulated compressed data), may be pre-compressed. Also, the input signals 101g and 101h are stored in storage section 104 via bus 109.

Both the input signals 101a-101f, inputted to the system through the demodulators 113, and input signal 101h, inputted to the system directly, correspond to broadcasting signals including broadcasting information. The input 101g identified in the Office Action is a same kind of the broadcast program sources as described on page 23 and shown in Fig. 5B. The input 101g is unrelated to receiving broadcast reservation information as described in the present application. As such, Browne does not suggest receiving program information data as recited in independent claim 1.

For at least the reasons set forth above, Browne does not teach or suggest all the features of independent claim 1. Greenburg does not suggest the features of claim 1 missing from Browne. Accordingly, independent claim 1 defines patentable subject matter at least for this reason. Each of independent claims 3 and 5 define patentable subject matter for at least similar reasons. Each of the dependent claims depends from one of the independent claims and

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therefore defines patentable subject matter. In addition, each of the dependent claims contains features that independently distinguish over the applied references. Withdrawal of the outstanding rejection is respectfully requested.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-5 and 7-12 are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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